

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable William A. Stone, Acting Presiding Justice; Honorable Nickolas J. Dibiaso, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Deputy Clerk.

F028001 People v. Sullivan, III

Cause called and argued by Kevin G. Denoce, Esq., counsel for appellant. Garrick W. Chock, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Dibiaso, J. and Levy, J. leave the bench; they are replaced by Vartabedian, J. and Harris, J.

F027554 People v. Pate

Cause called and argued by Frank D. Bloksberg, Esq., counsel for appellant and by Wanda Hill Rouzan, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Stone (W.A.), Acting P.J. directs Vartabedian, J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Levy, J.

F027496 People v. Singh, Jr.

Cause called and argued by Marilyn Drath, Esq., counsel for appellant. Ruth M. Saavedra, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Friday, March 13, 1998 at 1:30 P.M.

F027454 People v. Wright

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F027492 People v. Collins

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F027636 People v. Rundell

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F028170 People v. Flores

The judgment is affirmed. The trial court is directed to prepare and send forthwith to the appropriate authorities an amended abstract of judgment reflecting convictions for transportation of a controlled substance (count II) and simple possession of a controlled substance (count III).

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F027604 People v. McGowan

F027608 In re Robert Dale McGowan On Habeas Corpus

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F027888 The People v. Rutter, Jr.

The judgment is affirmed.

By the Court.

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F022282 People v. Mills

Appellant's conviction and sentence in count III is stricken. The convictions in counts I and II and the sentence imposed in count II are affirmed. The judgment as to the sentence in count I is vacated, and the matter remanded to the trial court for resentencing in accordance with this opinion and pursuant to People v. Superior Court (Romero), supra, 13 Cal.4th 497. Harris, J.

We concur: Stone (W.A.), Acting P.J.; Dibiaso, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F027309 People v. Davis

Appellant's petition for rehearing filed herein is denied.

F027247 People v. Mays

Appellant's petition for rehearing filed herein is denied.

F026407 People v. Berry

The judgment of conviction and sentence in count II only is reversed. The judgment as to sentence in count I is vacated and the matter is remanded to the trial court for resentencing pursuant to People v. Superior Court (Romero), supra, 13 Cal. 4th 497. In all other respects, the judgment is affirmed. Harris, J.

We concur: Stone (W.A.), Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F029027 In re Gabriela V., a Minor

The judgment is affirmed. Harris, J.

We concur: Stone (W.A.), Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F025214 People v. Rothgarn

The judgment is affirmed. Harris, J.

We concur: Stone (W.A.), Acting P.J.; Levy, J.

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F029046 In re Gavino G., a Minor

IT IS HEREBY ORDERED that the appeal in the above-entitled
action is dismissed.